

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There is one Extraordinary issue to the Official Gazette Series I No.38 dated 21-12-2000 namely Extraordinary dated 21-12-2000 from pages 773 to 774 regarding Notification from Department of Personnel.

GOVERNMENT OF GOA

Department of Labour

Office of the Commissioner of Labour

Notification

CL/3-11/MWA-53/2000/6259

The following draft Notification which is proposed to be issued under sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948) (hereinafter referred to as the "said Act"), for revising the minimum rates of wages payable to various categories of employees employed in various trades mentioned in the said draft-Notification in the Scheduled employment, namely, "Employment in Readymade Garment Manufactory", is hereby pre-published as required by clause (b) of sub-section (1) of section 5 of the said Act.

Notice is hereby given that the said draft-Notification will be taken into consideration by the Government after the expiry of a period of two months from the date of publication of this Notification in the Official Gazette. All persons likely to be affected thereby may forward their suggestions and objections, if any, to the Secretary, Labour, Government of Goa, Secretariat, Panaji Goa, before the expiry of the said period of two months so that such suggestions and objections could be taken into consideration at the time of finalisation of the draft Notification.

DRAFT - NOTIFICATION

In exercise of the powers conferred by clause (b) of sub-section (1) of section 3, read with clause

(iii) of sub-section (1) of section 4 and sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), the Government of Goa hereby revises the minimum rates of wages payable to various categories of employees employed in various trades in the Scheduled employment, namely, "Employment in Readymade Garments Manufactory", as shown in the Schedule below:—

SCHEDULE

Sr. No.	Details of categories	All inclusive minimum rates of wages
1	2	3
(I) UNSKILLED		
(1) Helper		Rs. 60/- per day
(2) Thread Cutter		
(3) Sweeper		
(4) Peon		
(5) Labourer		Rs. 60/- per day
Employees with any other designation which falls within the ambit of the foregoing entries and which when compared to their skills, are not considered as semi-skilled workers.		
(II) SEMI-SKILLED		
(1) Button Stitcher		Rs. 64/- per day
(2) Button Holders		
(3) Pattern Tracers		
(4) Kaj Operators		
(5) Ironing		
(6) Assistant Tailor		
(7) Assistant Stitcher		

Employees with any other designation falling within the ambit of the foregoing entries and shall include such designated employees who in their skill are considered below a skilled person and include those designations as Assistants and Juniors.

(III) SKILLED

- (1) Master Tailor
- (2) Cutter
- (3) Designer
- (4) Checkers
- (5) Drivers
- (6) Machine Operator
- (7) Stitcher

Rs. 71/- per day

Employees with any other designation falling within the ambit of foregoing category and shall include those directly connected with the manufacturing of readymade garments and employed for jobs connected with final finished products.

(IV) CLERICAL

- (1) Typist
- (2) Telephone Operator
- (3) Receptionist
- (4) Accounts Clerk
- (5) Store Keeper

Rs. 74/- per day

Employees with any other designation falling within the ambit of foregoing category.

Explanation

- (1) Where, in any area or establishment of Scheduled employment, wages revised under this Notification are lower than the wages fixed/revised by the Central Government or by Agreement or settlement or contract or contractors' regulations attached to the conditions of contract, the higher rate would be payable as minimum wages under this Notification.
- (2) The minimum rates of wages are applicable to employees engaged by the principal employer or contractor or sub-contractors, etc.
- (3) The minimum rates of wages revised are all inclusive rates including the wages for the weekly day of rest.

- (4) Both men and women workers shall be paid the same rates of wages revised for the same category or for equal work.
- (5) Where part time workers are employed, they should be paid pro-rata wages in accordance with the number of hours of work done.
- (6) Where payment is made on piece-rate basis for any of the categories for which time rate is fixed/revised the wages of the employees shall not be less than the minimum time rate fixed/revised for a normal day's work.

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner and Ex-Officio Joint Secretary (Labour).

Panaji, 18th December, 2000.

—♦♦—

Department of Law & Judiciary

Legal Affairs Division

Notification

10/4/99-LA (Vol. I)

The Direct Tax Laws (Miscellaneous) Repeal Act, 2000 (Central Act No. 20 of 2000) which has been passed by the Parliament and assented to by the President of India on 9-6-2000 and published in the Gazette of India, Extraordinary Part II Section I dated 9-6-2000 is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 18th December, 2000.

**The Direct-Tax Laws (Miscellaneous)
Repeal Act, 2000**

AN

ACT

to repeal certain enactments relating to direct taxes.

BE it enacted by Parliament in the Fifty-First Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Direct-tax Laws (Miscellaneous) Repeal Act, 2000.

2. *Repeal of certain enactments.*— The enactments specified in the Schedule are hereby repealed.

3. *Savings.*— (1) The repeal by this Act of any enactment shall not—

(a) affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;

(b) affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, immunity, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

(c) affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed;

(d) revive or restore any jurisdiction, office, custom, liability, right, title, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

(2) The mention of particular matters in sub-section (1) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897, with regard to the effect of repeals. 10 of 1897.

THE SCHEDULE

(See section 2)

Repeals

Year	Number	Short title
1926	3	The Government Trading Taxation Act, 1926.
1940	XV	The Excess Profits Tax Act, 1940.
1947	XXI	The Business Profits Tax Act, 1947.
1947	XXX	The Taxation on Income (Investigation Commission) Act, 1947.
1949	22	The payment of Taxes (Transfer of Property) Act, 1949.
1949	67	The Taxation Laws (Extension to Merged States and Amendment) Act, 1949.
1953	34	The Estate Duty Act, 1953.
1954	38	The Madhya Bharat Taxes on Income (Validation) Act, 1954.
1962	9	The Estate Duty (Distribution) Act, 1962.

1965	1	The Income-tax (Amendment) Act, 1965.
1971	37	The Central Board of Direct Taxes (Validation of Proceedings) Act, 1971.
1971	62	The Companies (Surcharge on Income-tax) Act, 1971.
1976	8	The Voluntary Disclosure of Income and Wealth Act, 1976.
1981	7	The Special Bearer Bonds (Immunities and Exemptions) Act, 1981.
1991	47	The Voluntary Deposits (Immunities and Exemptions) Act, 1991.
1942	LX	The Income-tax and Excess Profits Tax (Emergency) Ordinance, 1942.
1943	IV	The Income-tax Proceedings Validity Ordinance, 1943.
1943	XVI	The Excess Profits Tax Ordinance, 1943.

Notification

10-4-99/LA (Vol. I)

The Major Port Trusts (Amendment) Act, 2000 (Central Act No. 22 of 2000) which has been passed by the Parliament and assented to by the President of India, on 9-6-2000 and published in the Gazette of India, Extraordinary Part II, Section 1 dated 9-6-2000 is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 18th December, 2000.

The Major Port Trusts (Amendment) Act, 2000

AN

ACT

further to amend the Major Port Trusts Act, 1963.

BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) this Act may be called the Major Port Trusts (Amendment) Act, 2000.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 42.*— In section 42 of the Major Port Trusts Act, 1963 (hereinafter referred to as the 38 of 1963 principal Act),—

(a) in sub-section (1),—

(i) in clause (d), the word "and" occurring at the end shall be omitted;

(ii) in clause (e), the word "and" shall be inserted at the end and after the clause as so amended, the following clause shall be inserted, namely:—

"(f) developing and providing, subject to the previous approval of the Central Government, infrastructure facilities for ports.";

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) Without prejudice to the provisions of sub-section (3), a Board may, with the previous approval of the Central Government, enter into any agreement or other arrangement (whether by way of partnership, joint venture or in any other manner) with, any body corporate or any other person to perform any of the services and functions assigned to the Board under this Act on such terms and conditions as may be agreed upon."

3. *Amendment of section 88.*— In section 88 of the principal Act, in sub-section (2), after clause (c) and before the *Explanation*, the following clauses shall be inserted, namely:—

"(d) be invested, in any manner, in an arrangement referred to in sub-section (3A) of section 42;

(e) be invested, in any manner, in the development or management of any port including a port other than a major port on such terms and conditions as may be approved by the Central Government."

Notification

10-4-99/LA (Vol. I)

The Cotton Textiles Cess (Repeal) Act, 2000 (Central Act No. 19 of 2000) which has been passed by the Parliament and assented to by the President of India on 9-6-2000 and published in the Gazette of India, Extraordinary Part II, Section I dated 9-6-2000 is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 18th December, 2000.

The Cotton Textiles Cess (Repeal) Act, 2000

AN

ACT

to repeal the Cotton Textiles Cess Act, 1948.

BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Cotton Textiles Cess (Repeal) Act, 2000.

2. *Repeal of Act 7 of 1948.*— The Cotton Textiles Cess Act, 1948 is hereby repealed.

Notification

10-4-99/LA (Vol. I)

The Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) (Amendment) Act, 2000 (Central Act No. 18 of 2000) which has been passed by the Parliament and assented to by the President of India on 7-6-2000 and published in the Gazette of India, Extraordinary, Part II, Section 1 dated 8-6-2000 is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 18th December, 2000.

The Leaders and Chief Whips of recognised parties and groups in Parliament (Facilities) Amendment Act, 2000

AN

ACT

to amend the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998.

BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Amendment Act, 2000.

(2) Save as otherwise provided in this Act, it shall come into force at once.

2. *Amendment of section 1.*— In the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998 (hereinafter referred to as the principal Act), in section 1, for sub-section (2), the following sub-section shall be substituted and shall be deemed to have been substituted on and from the 5th day of February, 1999, namely:—

“(2) It shall be deemed to have come into force on the 5th day of February, 1999.”

3. *Substitution of new section for section 2.*—For section 2 of the principal Act, the following section shall be substituted, namely:—

“2. *Definitions.*— In this Act, unless the context otherwise requires,—

(a) “recognised group” means,—

(i) in relation to the Council of States, every party which has a strength of not less than fifteen members and not more than twenty-four members in the Council;

(ii) in relation to the House of the People, every party which has a strength of not less than thirty members and not more than fifty-four members in the House;

(b) “recognised party” means,—

(i) in relation to the Council of States, every party which has a strength of not less than twenty-five members in the Council;

(ii) in relation to the House of the People, every party which has a strength of not less than fifty-five members in the House.”

4. *Substitution of new section for section 3.*—For section 3 of the principal Act, the following section shall be substituted, namely:—

“3. *Facilities to the Leaders and Chief Whips of recognised groups and parties.*— Subject to any rules made in this behalf by the Central Government, each leader, deputy leader and each Chief Whip of a recognised group and a recognised party shall be entitled to telephone and secretarial facilities:

Provided that such facilities shall not be provided to such leader, deputy leader or Chief Whip, as the case may be, who—

(i) holds an office of Minister as defined in section 2 of the Salaries and Allowances of Ministers Act, 1952; 58 of 1952.

(ii) holds an office of the Leader of the Opposition as defined in section 2 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977; or 33 of 1977.

(iii) is entitled to similar telephone and secretarial facilities by virtue of holding any office of, or representation in, a Parliamentary Committee or other Committee, Council, Board, Commission or other body set up by the Government; or

(iv) is entitled to similar telephone and secretarial facilities provided to him in any other capacity by the Government or a local authority or Corporation owned or controlled by the Government or any local authority.”

5. *Amendment of section 3 of Act 10 of 1959.*— In the Parliament (Prevention of Disqualification) Act, 1959, in section 3, in clause (ac), for the words “each leader”, the words “each leader and each deputy leader” shall be substituted.

6. *Validation of rules and certain actions.*— The Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Telephone and Secretarial Facilities) Rules, 1999 published in the Gazette of India, Extraordinary, dated the 5th February, 1999 with the notification of the Government of India in the Ministry of Parliamentary Affairs No. G.S.R. 66(E), dated the 4th February, 1999 (hereinafter referred to as the said Rules) shall be deemed to have and to have always had effect on and from the 5th day of February, 1999 as if the amendments made by section 2 had been in force at all material times and accordingly and action taken or anything done or purported to have been taken or done under the said Rules during the period commencing on and from the 5th day of February, 1999 and ending with the day on which the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Amendment Act, 2000 receives the assent of the President shall be deemed to be, and to always have been, for all purposes, as validly and effectively taken or done as if the said Rules had been in force at all material times.